MAY 2 2 2006

PTO/SB/97 (09-04) Approved for use through 07/31/2008, OMB 0651-0031

U.S. Patent and Trademark Oilice; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 22, 2006 to 571-273-8300 Karlila & Sher Kathleen A. Asher Typed or printed name of person signing Certificate 240-228-5632 Registration Number, if applicable Telephone Number Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper. Total Pages including this cover sheet: 8 Appln. No. 10/669,484 Filing Date: 09/24/2003 Conf. No. 3976 Art Unit: 3735 Inventor: Jerry A. Krill Examiner: Eric Frank Winakur Cust. No. 26085 Atty. Docket No. 1690-SPL 1. Amendment Transmittal Letter (Small Entity) (1 page) 2. Amendment under 37 CFR 1.116 (6 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is entimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case, Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradomark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FLES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# RECEIVED CENTRAL FAX CENTER

MAY 2 2 2006

FROM : JHU/APL OFFICE OF COUNSEL

FAX NO. :2402285254

May. 22 2006 10:23AM P2

AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): Jerry A. Krill						Docket No. 1690-SPL		
Application No.	Filing Date 09/24/03	Examiner Eric Frank Winakur		Customer N 26085	۱٥.	Group Art Unit 3735	Confirmation No. 3976	
Invention: Ingestible Medical Payload Carrying Capsule with Wireless Communication								
COMMISSIONER FOR PATENTS:								
Transmitted herewith is an amendment in the above-identified application.  Applicant claims small entity status. See 37 CFR 1.27								
The fee has been calculated and is transmitted as shown below.								
CLAIMS AS AMENDED								
.	CLAIMS REMAINING	HIGHEST #		ER EXTRA		RATE	ADDITIONAL	
TOTAL CLAIMS	AFTER AMENDMENT	PREV. PAID FOR	CLAIMS	PRESENT	<u> </u>		FEE	
INDEP. CLAIMS	12 -	25 =	<u> </u>	0	X	\$25.00	\$0.00	
	2 -	4 =	L <u>.</u>	0	×	\$100.00	\$0.00	
Multiple Dependent Claims (check if applicable)							\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT							\$0.00	
No additional fee is required for amendment.  Please charge Deposit Account No. in the amount of A check in the amount of to cover the filing fee is enclosed.  The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-2218  Any additional filing fees required under 37 C.F.R. 1.16.  Any patent application processing fees under 37 CFR 1.17.  Payment by credit card. Form PTO-2038 is attached.  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  Dated: 5/22/Oc.  Albert J. Fasulo, II, Reg. No. 43,607  Office of Patent Counsel  The Johns Hopkins University  Applied Physics Laboratory  11100 Johns Hopkins Road, MS 7-156  Laurel, MD 20723-6099  240-228-5639  Account No. 01-2218  In the amount of to cover the filing fee is enclosed.  In the amount of the amount of the following fees associated with this communication on credit any overpayment to Deposit Account No. 01-2218  Any patent application processing fees under 37 C.F.R. 1.16.  Any patent application processing fees under 37 C.F.R. 1.17.  Payment by credit card. Form PTO-2038 is attached.  Variable of the card information and authorization on PTO-2038.  Dated: 5/22/Oc.  Facsionile transmitted to the USPTO at 571-273-8300  Albert J. Fasulo, II, Reg. No. 43,607  Office of Patent Counsel  Communication on PTO-2038.  Dated: 5/22/Oc.  Facsionile transmitted to the USPTO at 571-273-8300  Albert J. Fasulo, II, Reg. No. 43,607  Office of Patent Counsel  Communication on PTO-2038.  Dated: 5/22/Oc.  Facsionile transmitted to the USPTO at 571-273-8300  Albert J. Fasulo, II, Reg. No. 43,607  Office of Patent Counsel  Communication on PTO-2038.  Dated: 5/22/Oc.  Facsionile transmitted to the USPTO at 571-273-8300  Albert J. Fasulo, II, Reg. No. 43,607  Office of Patent Counsel  Communication on PTO-2038.  Dated: 5/22/Oc.  Facsionile transmitted to the								
cc:		Signature of Person Mailing Correspondence  Kathleen A. Asher						
Typed or Printed Name of Person Molling Corresponden							Correspondence	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
MAY 2 2 2006

Appl. No.

10/669,484

Confirmation No. 3976

Applicant

Jerry A. Krill

Filed

09/24/03

Title

Ingestible Medical Payload Carrying Capsule with Wireless

Communication

TC/A.U.

3735

Examiner

Eric Frank Winakur

Docket No.

1690-SPL

Customer No.:

26085

#### VIA FACSIMILE TRANSMISSION ONLY TO 571-273-8300

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

### **AMENDMENT UNDER 37 CFR 1.116**

Dear Sir:

In response to the final Office action of 03/20/2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

I hereby certify that the correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. no. 571-273-83(s)) on

Date

Signature of person transmitting correspondence

Kuthleen A. Asher

Typed or printed name of person transmitting correspondence